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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a continuation application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

Luer-Activated Valve

**SPECIFICATION IDENTIFICATION**

The specification is attached hereto.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

**FILING DATE**

60/117,359

January 27, 1999

60/031,175

November 18, 1996

60/034,708

January 3, 1997

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56 and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

| <b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS<br/>DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:</b> |                         |                 |                |                  |
|---|-------------------------|-----------------|----------------|------------------|
| <b>U.S. APPLICATIONS</b>  |                         | <b>Status</b>   |                |                  |
| <b>U.S. APPLICATIONS</b>  | <b>U.S. FILING DATE</b> | <b>Patented</b> | <b>Pending</b> | <b>Abandoned</b> |
| 1. 09/810,087   | 16 MAR 01               |                 | X              |                  |
| 2. 09/479,327   | 06 JAN 00               |                 | X              |                  |
| 3. 09/394,169   | 13 SEP 99               |                 | X              |                  |
| 4. 08/970,125   | 13 NOV 97               |                 |                | X                |

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| <b>APPOINTED PRACTITIONER(S)</b> | <b>REGISTRATION NUMBER(S)</b> |
|----------------------------------|-------------------------------|
| Bruce D. Sunstein                | 27,234                        |
| Robert M. Asher                  | 30,445                        |
| Timothy M. Murphy                | 33,198                        |
| Steven G. Saunders               | 36,265                        |
| Samuel J. Petuchowski            | 37,910                        |
| Jeffrey T. Klayman               | 39,250                        |
| John J. Stickevers               | 39,387                        |
| Elizabeth P. Morano              | 42,904                        |
| Jay Sandvos                      | 43,900                        |
| Alexander J. Smolenski, Jr.      | 47,953                        |
| John L. Conway                   | 48,241                        |
| Barbara J. Carter                | 52,703                        |
| Shaun P. Montana                 | 54,320                        |
| Charlton Shen                    | 54,442                        |
| Kenneth S. Sachar                | 54,418                        |

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**SEND CORRESPONDENCE TO**

Steven G. Saunders  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
002101

**DIRECT TELEPHONE CALLS TO:**

Steven G. Saunders  
617-443-9292

Since this filing is a continuation there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Andrew L. Cote, Sr.

**Inventor's signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Country of Citizenship** USA

**Residence** Merrimack, NH

**Post Office Address** 1 Linden Way, Merrimack, NH 03054

\_\_\_\_\_

Charles F. Ganem

**Inventor's signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Country of Citizenship** USA

**Residence** Cape Neddick, ME

**Post Office Address** 1 Key Way, Cape Neddick, ME 03902

Express Mail Label No.

Page 1 of 3

Docket No.  
1600/137

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Swabable Luer-Activated Valve

the specification of which

(check one)

☐ Is attached hereto.

☒ was filed on March 16, 2001 as United States Application No. or PCT International Application Number 09/810,087 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

|                          |                          |
|--------------------------|--------------------------|
| <u>60/117,359</u>        | <u>January 27, 1999</u>  |
| (Application Serial No.) | (Filing Date)            |
| <u>60/031,175</u>        | <u>November 15, 1996</u> |
| (Application Serial No.) | (Filing Date)            |
| <u>60/034,708</u>        | <u>January 3, 1997</u>   |
| (Application Serial No.) | (Filing Date)            |

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

|                          |                           |                                |
|--------------------------|---------------------------|--------------------------------|
| <u>09/479,327</u>        | <u>January 6, 2000</u>    | <u>Pending</u>                 |
| (Application Serial No.) | (Filing Date)             | (Status)                       |
|                          |                           | (patented, pending, abandoned) |
| <u>09/394,169</u>        | <u>September 13, 1999</u> | <u>Patented</u>                |
| (Application Serial No.) | (Filing Date)             | (Status)                       |
|                          |                           | (patented, pending, abandoned) |
| <u>08/970,125</u>        | <u>November 13, 1997</u>  | <u>Abandoned</u>               |
| (Application Serial No.) | (Filing Date)             | (Status)                       |
|                          |                           | (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



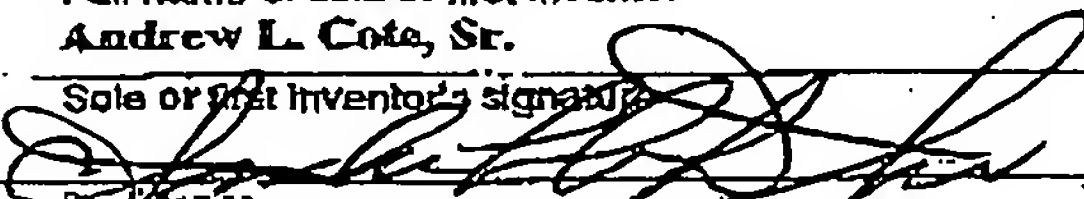
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

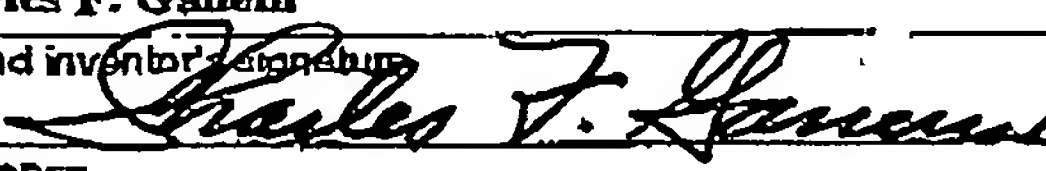
Asher, Robert M., Reg. No. 30,445  
Buchanan, Karen A., Reg. No. 37,790  
Guterman, Sonia K., Reg. No. 44,729  
Hornsby, Alton, Reg. No. 47,299  
Morano, Elizabeth P., Reg. No. 42,904  
Murphy, Timothy M., Reg. No. 33,198  
Newborn, Herbert A., Reg. No. 42,031  
Petuchowski, Samuel J., Reg. No. 37,910  
Sandvos, Jay, Reg. No. 43,900  
Saunders, Steven G., Reg. No. 36,265  
Smolenski, Alexander J., Reg. No. P-47,953

Stickevers, John J., Reg. No. 39,387  
Strimpe, Harriet M., Reg. No. 37,008  
Sunstein, Bruce D., Reg. No. 27,234  
Tibbets, Jean M., Reg. No. 43,193  
Wood, Keith J., Reg. No. 45,295  
Xu, Yang, Reg. No. 45,243

Send Correspondence to: Steven G. Saunders  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110

Direct Telephone Calls to: (name and telephone number)  
Steven G. Saunders (617) 443-9292

|   |                  |
|---|------------------|
| Full name of sole or first inventor<br>Andrew L. Cote, Sr.  |                  |
| Sole or first inventor's signature<br> | Date<br>07/03/01 |
| Residence<br>1 Linden Way, Merrimack, NH 03054  |                  |
| Citizenship<br>USA  |                  |
| Post Office Address<br>Same as residence  |                  |

|   |                 |
|---|-----------------|
| Full name of second inventor, if any<br>Charles F. Ganem  |                 |
| Second inventor's signature<br> | Date<br>7-13-01 |
| Residence<br>1 Key Way, Cape Neddick, ME 03902  |                 |
| Citizenship<br>USA  |                 |
| Post Office Address<br>Same as residence  |                 |